

**PRELIMINARY MINUTES
ZONING COMMISSION
ZONING MEETING**

THURSDAY, MARCH 7, 2013

9:00 A.M. Vista Center 1st Floor Hearing Room, VC-1W-47
2300 N. Jog Road, West Palm Beach FL 33411

CALL TO ORDER

A. Roll Call 9:00 A.M.

Commissioner Sheri Scarborough, Chair	Present
Commissioner Alex Brumfield, Vice Chair	Present
Commissioner William F. Anderson	<i>Arrived 9:07</i>
Commissioner Joanne Davis	Present
Commissioner Sam Caliendo	Present
Commissioner Mark Beatty	Present
Commissioner Robert Currie	Present

B. Opening Prayer and Pledge of Allegiance

C. Remarks of the Chair

D. Proof of Publication – Motion to receive and file carried 7-0

E. Adoption of the Minutes – Motion carried 7-0

F. Swearing In

G. Disclosures – Listed by Agenda Number

Brumfield	Currie	Davis	Anderson	Scarborough	Caliendo	Beatty
None	None	None	None	None	None	None

Commissioner Sheri Scarborough presented Commissioner Sherry Hyman with a plaque for 20 years of service. Commissioner Hyman gave a short thank you speech. Mike Hyman, Kerry Kilday, Kevin McGinley, Bradley Miller, Commissioner Sam Caliendo, Commissioner William Anderson and Commissioner Sherry Scarborough also spoke.

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

1. **Z-2012-02793** Title: an Official Zoning Amendment application of Cory Hopkins by Land Design South Inc., Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Single-family Residential (RS) Zoning District
General Location: Approximately 350 feet north of Lantana Road at the southwest corner of Nash Trail and Haverhill Road (**Rasmussen Residential**) (Control 2012-00580)

Pages 1 - 1
Project Manager: David McGuire
Size: 6.88 acres +
(affected area 5.10 acres +)

BCC District: 2

Staff Recommendation: Staff recommends postponement to the April 4, 2013 Zoning Commission Hearing.

MOTION: To postpone the request to the April 4, 2013 Zoning Commission Hearing

Motion carried 7-0

Brumfield	Currie	Davis	Anderson	Scarborough	Caliendo	Beatty
Yes	Yes	Yes	Yes	Yes	Yes	Yes
Moved					Seconded	

2. **ZV/Z/CA-2012-02085** Title: a Type II Variance application of Race Trac by Land Design South Inc., Agent. Request: to allow 24 hour operation within 250 feet of a residential district and to allow a reduction in the required side setback. Title: an Official Zoning Map Amendment application of Race Trac by Land Design South Inc., Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Community Commercial (CC) Zoning District Title: a Class A Conditional Use application of Race Trac by Land Design South Inc., Agent. Request: to allow a Convenience Store with Gas Sales General Location: Northwest corner of Lantana Road and Haverhill Road (**Raceway Market**) (Control 2012-00253)

Pages 1 - 1

Project Manager: David McGuire

Size: 6.88 acres +

BCC District: 2

(affected area 1.78 acres +)

Staff Recommendation: Staff recommends a postponement to the April 4, 2013 Zoning Commission Hearing.

MOTION: To postpone the request to the April 4, 2013 Zoning Commission Hearing.

Motion carried 7-0

Brumfield	Currie	Davis	Anderson	Scarborough	Caliendo	Beatty
Yes	Yes	Yes	Yes	Yes	Yes	Yes
Moved					Seconded	

Item moved to postponement on the add/delete

3. **DOA/R-2012-01264** Title: a Development Order Amendment application of Reef America Reit li Corp J by Siegel Lipman Dunay Shepard & Miskel LLP, Agent. Request: to reconfigure the Site Plan, modify Conditions of Approval (Parking) and add square footage General Location: Southeast corner of Glades Road and SR 7 (**Festival Shoppes of Boca PCD**) (Control 1990-00024)

Pages 2 - 30

Conditions of Approval Pages (7 - 16)

Project Manager: David McGuire

Size: 36.96 acres +

BCC District: 5

(affected area 2.63 acres +)

Staff Recommendation: Staff recommends approval of the request subject to 70 Conditions of Approval as indicated in Exhibit C.

MOTION: To postpone the request to the April 4, 2013 Zoning Commission Hearing.

Motion carried 7-0

Brumfield	Currie	Davis	Anderson	Scarborough	Caliendo	Beatty
Yes	Yes	Yes	Yes	Yes	Yes	Yes
Moved					Seconded	

B. REMANDS

C. WITHDRAWALS

END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. STATUS REPORTS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

E. CORRECTIVE RESOLUTIONS

D. ZONING APPLICATIONS – NEW

E. CORRECTIVE RESOLUTIONS

F. SUBDIVISION VARIANCE

END OF CONSENT AGENDA

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. STATUS REPORTS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

D. ZONING APPLICATIONS – NEW

4. **ZV/DOA/R-2012-00979** Title: a Type II Variance application of SE Petro One LLC by Core States Group, Agent. Request: to allow easement overlap in a right-of-way buffer, to allow a reduction of right-of-way buffer width, divider median width, dumpster setback, and a reduction in the number of feet of queuing Title: a Development Order Amendment application of SE Petro One LLC by Core States Group, Agent. Request: to reconfigure the Site Plan; add square footage and pumps; and, modify Condition of Approval (Site Design) Title: a Requested Use Request application of SE Petro One LLC by Core States Group, Agent. Request: to allow a Convenience Store with Gas Sales General Location: South side of Glades Road east of Florida's Turnpike (**Arvida Parkway Center**) (Control 1980-00161)

Pages 31 - 79

Conditions of Approval Pages (44 - 51)

Project Manager: Carol Glasser

Size: 23.84 acres +

(affected area 1.46 acres +)

BCC District: 5

Staff Recommendation: Staff recommends approval of the Type II Variance request to allow easement overlap in a right-of-way buffer, to allow a reduction of a right-of-way buffer width, divider median width, and dumpster setback subject to 6 Conditions of Approval indicated in Exhibit C-1.

Staff recommends denial of the Type II Variance to allow reduction in the number of feet of queuing; and denial of the Development Order Amendment and Requested Use.

People who spoke on this application:

Carol Glasser - Site Planner II, gave brief presentation.

Craig Carden – Agent, gave a presentation in response to staff recommendations.

Zoning Commissioners indicated that the pumps, piping and canopy could be shifted; and that additional time is needed for staff and applicant review of the recently proposed site plan revisions. The Zoning Commission also had concerns with the access points, queuing and traffic entering and exiting from the Glades Road entrance to the subject site. The Zoning Commissioners asked if the Car Wash could be eliminated to allow more area for the Convenience Store building; if the building footprint could be revised to improve site circulation; and if the access to the site could be redesigned and improved.

One member of the public spoke in opposition. Paula McClure, director Boca West Master Association, indicated concerns of increased traffic, criminal activity, lighting, and signage.

The motion to postpone to April 4, 2013 carried by a vote of 7-0

Brumfield	Currie	Davis	Anderson	Scarborough	Caliendo	Beatty
Yes	Yes	Yes	Yes	Yes	Yes	Yes
Seconded			Moved			

E. SUBDIVISION VARIANCE

END OF REGULAR AGENDA

DIRECTOR COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

C. EXECUTIVE DIRECTOR

COMMISSIONER COMMENTS

ADJOURNMENT